

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

In re:

**TIMOTHY JEROME ALSTON and WANDA
ANN ALSTON**

Case No. 10-81356

S.S. Nos.: xxx-xx-3530 and xxx-xx-5666

Mailing Address: 101 QUEEN FERRY CT, Durham, NC 27712-

Debtors.

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on July 30, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: August 18, 2010

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s John T. Orcutt

John T. Orcutt
N.C. State Bar No. 10212
Counsel for the Debtors
6616-203 Six Forks Rd.
Raleigh, N.C. 27615
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)				Date: 7/22/10			
				Lastname-SS#: Alston-3530			
RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN				SURRENDER COLLATERAL			
Retain	Creditor Name	Sch D #	Description of Collateral	Creditor Name	Description of Collateral		
	Verizon Wireless		Cell Phone				
	Car Financial (Son Pays)		1999 Chevrolet Suburban				
ARRIARAGE CLAIMS				REJECTED SECURED CONTRACTS/LEASES			
Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)	Creditor Name	Description of Collateral	
				**			
				**			
				**			
				**			
				**			
	1st DOT- Beneficial	1	\$5,926	**			
			**				
			**				
			**				
1ST DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS							
Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	1st DOT- Beneficial	1	\$1,901	N/A	n/a	\$1,901.00	House and Land
	Durham County	1	\$250	N/A	n/a	\$250.00	House and Land
				N/A	n/a		
				N/A	n/a		
1ST SECURED DEBTS @ FMV							
Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				5.00			
				5.00			
				5.00			
				5.00			
1ST SECURED DEBTS @ 100%							
Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Non-910-Wells Fargo	7	\$9,541	5.00	\$95	\$223.78	2004 Toyota Tundra
				5.00			
				5.00			
				5.00			
				5.00			
ATTORNEY FEE (Up and paid)		Amount					
Law Offices of John T. Orcutt, P.C.		\$2,800					
SECURED TAXES		Secured Amt					
IRS Tax Liens							
Real Property Taxes on Retained Realty							
UNSECURED PRIORITY DEBTS		Amount					
IRS Taxes		\$3,519					
State Taxes							
Personal Property Taxes							
Alimony or Child Support Arrearage							
CO-SIGN PROTECT (Pay 100%)		Int. Rate	Payoff Amt				
All Co-Sign Protect Debts (See*)							
GENERAL NON-PRIORITY UNSECURED		Amount					
DMI= None(\$0)		None(\$0)					
PROPOSED CHAPTER 13 PLAN PAYMENT							
\$ \$2,687		per month for		60		months, then	
\$ N/A		per month for		N/A		months.	
Adequate Protection Payment Period:				1.73 months.			
Sch D # = The number of the secured debt as listed on Schedule D.							
Adequate Protection = Monthly 'Adequate Protection' payment amt.							
† = May include up to 2 post-petition payments.							
* Co-sign protect on all debts so designated on the filed schedules.							
** = Greater of DMI x ACP or EAE				(Page 4 of 4)			
Ch13Plan_MD_(DeSardi Version 1/12/10) © LOJTO							
Other Miscellaneous Provisions							
Plan to allow for 3 "waivers".							

CERTIFICATE OF SERVICE

I, WILLIAM MCDONALD, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

All the creditors set forth on the mailing matrix filing in this case.

/s WILLIAM MCDONALD
WILLIAM MCDONALD

North Carolina Department of Revenue
c/o NC Department of Justice
Post Office Box 629
Raleigh, NC 27602-0629

Internal Revenue Service (ED)**
Post Office Box 21126
Philadelphia, PA 19114-0326

Capital One Bank**
Post Office Box 30285
Salt Lake City, UT 84130-0285

Employment Security Commission
Attn: Benefit Payment Control
Post Office Box 26504
Raleigh, NC 27611-6504

US Attorney's Office (ED)**
310 New Bern Avenue
Suite 800, Federal Building
Raleigh, NC 27601-1461

Car Financial Services
59 Skyline Drive
1700
Lake Mary, FL 32746

Credit Bureau
Post Office Box 26140
Greensboro, NC 27402

Absolute Collection Service **
421 Fayetteville Street Mall
Suite 600
Raleigh, NC 27601

Chase **
Cardmember Service
Post Office Box 15298
Wilmington, DE 19850-5298

NC Child Support
Centralized Collections
Post Office Box 900006
Raleigh, NC 27675-9006

AFNI, Inc.
Post Office Box 3097
Bloomington, IL 61701-3097

Child Support Enforcement
Post Office Box 20800
Raleigh, NC 27619-0800

Equifax Information Systems LLC
P.O. Box 740241
Atlanta, GA 30374-0241

American General Financial Services
PO Box 3251
Evansville, IN 47731

CitiBank
c/o Midland Credit Management
Dept. 12421
PO Box 603
Oaks, PA 19456

Experian
P.O. Box 2002
Allen, TX 75013-2002

Bank of America
Post Office Box 15026
Wilmington, DE 19850-5026

CitiFinancial
Post Office Box 140069
Irving, TX 75014

Innovis Data Solutions
Attn: Consumer Assistance
P.O. Box 1534
Columbus, OH 43216-1534

Beneficial
Post Box 3425
Buffalo, NY 14240-9733

Client Services, Inc.
3451 Harry Truman Blvd.
Saint Charles, MO 63301-4047

Trans Union Corporation
P.O. Box 2000
Crum Lynne, PA 19022-2000

Beneficial
PO Box 8873
Virginia Beach, VA 23450-8873

Credit Financial Services
Post Office Box 451
Durham, NC 27702-0451

ChexSystems
Attn: Consumer Relations
7805 Hudson Road, Ste. 100
Woodbury, MN 55125

Capital One Auto Finance
Post Office Box 261930
Plano, TX 75026-1930

Dish Network
Dept. 0063
Palatine, IL 60055-0063

Durham County Tax Collector
Post Office Box 3397
Durham, NC 27701

GMAC
Post Office Box 7041
Troy, MI 48007-7041

Sears
Post Office Box 6283
Sioux Falls, SD 57117-6283

Equable
5 Revere Drive, Ste 206
Northbrook, IL 60062

Home Depot **
P.O. Box 653000
Dallas, TX 75265-3000

Sheffield Financial
6010 Golding Center Drive
Winston Salem, NC 27103

Firstsource Advantage, LLC
205 Bryant Woods South
Amherst, NY 14228

Internal Revenue Service (MD)**
Post Office Box 21126
Philadelphia, PA 19114-0326

US Attorney's Office (MD)**
Middle District
Post Office Box 1858
Greensboro, NC 27502-1858

GEMB
Post Office Box 103104
Roswell, GA 30076

Law Offices of John T. Orcutt
6616-203 Six Forks Road
Raleigh, NC 27615

Verizon
3 Verizon Place
Mail Code #3B1
Alpharetta, GA 30004

GEMB/JCPenney
Post Office Box 103104
Roswell, GA 30076

Macy's
Post Office Box 8108
Mason, OH 45040-8103

Wells Fargo Dealer Services, Inc
Attn: Correspondence
MAC T9017-026
PO Box 168048
Irving, TX 75016-8048

GEMB/Lowe's
Post Office Box 103104
Roswell, GA 30076

National Enterprise Systems
29125 Solon Road
Solon, OH 44139-3442

WFNNB/Victoria's Secret
Post Office Box 182125
Columbus, OH 43218-2125

GEMB/Tweet
Post Office Box 103104
Roswell, GA 30076

NCO Financial Systems
507 Prudential Road
Horsham, PA 19044

GEMB/Walmart
Post Office Box 103104
Roswell, GA 30076

North Carolina Department of Revenue
c/o Reginald S. Hinton
Post Office Box 25000
Raleigh, NC 27640-5000

Genpact Services, LLC
Post Office Box 1969
Southgate, MI 48195-0969

North Carolina Dept of Revenue**
Post Office Box 1168
Raleigh, NC 27602-1168